

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
ST. JOSEPH DIVISION**

RAYMOND J. SPRAGUE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 09-6092-CV-SJ-FJG
)	
CITY OF LATHROP MUNICIPAL)	
GOVERNMENT, et al.,)	
)	
Defendants.)	

ORDER

Pending before the Court is Plaintiff's Motion to Compel Arbitration (Doc. No. 7). Plaintiff brings claims for wrongful discharge against both the City of Lathrop Municipal Government and Rodney Green, the mayor of the City of Lathrop. Plaintiff indicates that part of the employee handbook provides that:

If an employment dispute arises while you are employed at the City of Lathrop, the City of Lathrop requests that you agree to submit any such dispute arising out of your employment or the termination of your employment (including, but not limited to, claims of unlawful termination based on race, sex, age, national origin, disability, breach of contract or any other bias prohibited by law) exclusively to binding arbitration under the federal Arbitration Act, 9 U.S.C., Section 1. Similarly, any disputes arising during your employment involving claims of unlawful discrimination or harassment under federal or state statutes shall be submitted exclusively to binding arbitration under the above provisions. This arbitration shall be the exclusive means of resolving any dispute arising out of your employment or termination from employment by the City of Lathrop or you, and no other action can be brought by employees in any court or any forum.

Doc. No. 7, Ex. 1.

Plaintiff indicates that, while he is not eager to participate in binding arbitration, he believes that the above provision from the employee handbook controls, and this matter must be submitted to binding arbitration. Defendants have filed no opposition to the

pending motion.

After reviewing plaintiff's motion, the Court agrees that plaintiff's claims are covered by the arbitration agreement at issue. Consequently, the Court will grant plaintiff's motion.

Accordingly, for the above stated reasons, it is ORDERED that:

1) Plaintiff's Motion to Compel Arbitration (Doc. No. 7) is GRANTED;

2) this suit is STAYED pending arbitration; and

3) the parties shall file a JOINT STATUS REPORT on or before **January 12, 2010**, and every sixty days thereafter.

/s/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 09/23/09
Kansas City, Missouri